

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 6944 of 1995

Between:

Bailapoodi Appala Naidu s/o Sanni Babu, Yard Foreman,
Visakapatnam Port Trust, Village Pinagadi, Pedagadi (p.o.)
Visakhapatnam

..... PETITIONER

AND

1 Visakhapatnam Port Trust represented by its

Chairman, Visakhapatnam - 35

2 Visakhapatnam Port Trust represented by its Traffic

Manager, Visakhapatnam 35

3 K Ganapathi, Assistant Yard Master (Adhoc), Traffic Department,
Visakhapatnam Port Trust Visakhapatnam

4 N Appala Naidu, Assistant Yard Master (Adhoc), Traffic Department,
Visakhapatnam Port Trust, Visakhapatnam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus directing the Respondents 1 and 2 to strict observance of Rules and Regulations in accordance with the Visakhapatnam Port Trust Employees (Recruitment, Seniority and Promotion) rules and Recruitment Rules made there under to the post and grade of Asst Yard master and posts beyond that grade and consequently declare the action of the Respondents 1 and 2 in promoting the Respondents 3 and 4 from the post of Yard foreman to the post of Asst yard Master without following the above stated Rules is illegal, arbitrary, without jurisdiction, violative of Articles 14 and 16 of the Constitution of India, violation of principles of natural justice, null and void and

further direct the Respondents 1 and 2 to restore the Seniority of the petitioner over and above the Respondents 3 and 4 and pass such other order to orders in the interests of justice

Counsel for the Petitioner: MR.M.KESAVA RAO

Counsel for the Respondent Nos.1 and 2: MR.K.SRINIVASAMURTHY

Counsel for the Respondent Nos.3 and 4:None appeared.

The Court made the following:

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.2CCs to

2.2CD copies

Form-NIC-OGS/WP{LOBIS}

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 6944 of 1995

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ORDER:

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The learned counsel for the petitioner represents that the petitioner died during the pendency of the writ petition and no Legal Representatives have been brought on record.

2. In view of the above representation, it is treated that the writ petition stands abated

3. Hence, the Writ Petition is dismissed as abated.

September 7,2004

KVR

To

- 1 The Chairman,
Visakhapatnam Port Trust Visakhapatnam-530 035
2. The Traffic Manager, Visakhapatnam Port Trust Visakhapatnam-530
035
- 3 Two C.D.Copies.